



#15 CPA
w/Amendment

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:
☐ DUPLICATE

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No.
of Prior Application

First Named Inventor

Thomas C. Thompson

Examiner Name

Tran, Hanh V.

Group Art Unit

3635

Express Mail Label No.

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 09 1 396, 128,
filed on 09/14/99, entitled Hurricane - Earthquake Freeze Plate

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b); or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. ☐ Enter the unentered amendment previously filed on _____
under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
.....
 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

MAR 13 2002

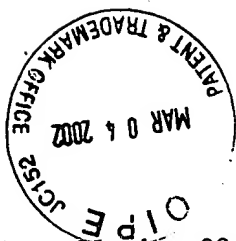
OFFICE OF PETITIONS

03/08/2002 GTEFFERA 00000094 09396128

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[Page 1 of 2]



IN THE PATENT AND TM OFFICE

Appn. Number: 09/396,128

Filing Date: 09/14/99

Applicant: Thompson, Thomas C.

Appn. Title: Hurricane-Earthquake Frieze Plate

Examiner: Tran, Hanh V.

Art Unit: 3635

Mailed March 4, 2002

CONTINUED PROSECUTION APPLICATION

Commissioner of Patents and Trademarks

Washington, D.C. 20231

RECEIVED

MAR 13 2002

OFFICE OF PETITIONS

Sir:

In response to the Advisory Action mailed 02/05/02, I have included in this response the following:

1. Request for Continued Prosecution Application (CPA), PTO Form 29.
2. Petition for revival of application abandoned unintentionally, PTO Form 64
3. Non-publication request, PTO Form 35.
4. Preliminary amendment canceling claims 1-11 and requesting entering of claims 12-31.
5. Clean copy of claims 12-31.
6. Check for PTO 29- \$370 and PTO 64- \$640, Total-\$1,010.
7. Certificate of Mailing.
8. Postcard.

Very respectfully,


Thomas C. Thompson

Response:

1. Enclosed is a properly filled out PTO Form 29 (CPA) requesting continued prosecution of application 09/396,128. As per the telephone conversation, about 02/21/02, between the applicant and the examiner, the applicant is sending this continued application with 20 new claims, that includes 2 independent claims and 18 dependent claims.
2. Due to mail delays, the applicant received the present Office Action one day before the six month period was over. Therefore, the applicant petitions for revival of an unintentionally abandoned application with a properly filled out PTO Form 64.
3. The applicant has also enclosed a properly filled out PTO Form 35 requesting non-publication.
4. The applicant respectfully requests that the examiner cancel claims 1-11 without prejudice, and substitute new claims 12-31, which are enclosed in this application. ✓
5. The applicant has enclosed a check for \$1,010 for continued prosecution and revival of the abandoned application.

6. **Certificate of mailing:**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as ^{express}~~first class~~ mail in an envelope addressed to:

Assistant Commissioner for Patents,
Washington, D.C. 20231

on MARCH 9 2002
(Date)

Express Mail # **ET420325038 US**

Printed name of person signing this certificate:

THOMAS C. THOMPSON
Signature: Thomas C Thompson